

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number
P.C. 2-12-03 Item: 3.d.

File Number
PDC 02-098

Application Type
Planned Development Rezoning

Council District
4

Planning Area
Berryessa

Assessor's Parcel Number(s)
241-17-009

STAFF REPORT

PROJECT DESCRIPTION: Rezoning to allow the operation of a 6,000 square foot banquet facility within an existing 53,010 square foot office/warehouse building.

Completed by: Caleb Gretton

Location: South side of Murphy Avenue approximately 400 feet easterly of Oakland Road

Gross Acreage: 4.01

Net Acreage: 4.01

Net Density: n/a

Existing Zoning: A(PD) Planned Development

Existing Use: Warehouse/office use

Proposed Zoning: A(PD) Planned Development

Proposed Use: Banquet facility and warehouse/office use

GENERAL PLAN

Completed by: CG

Land Use/Transportation Diagram Designation
IP Industrial Park with Mixed Industrial Overlay

Project Conformance:
☒ Yes ☐ No
☒ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: CG

North: General Commercial

A(PD) Planned Development, Commercial

East: Single-Family Residential & Public Golf Course

A(PD) Planned Development, Residential

South: Municipal Golf Course

Public Park & Open Space

West: Commercial and Industrial Office

A(PD) Planned Development, Commercial/Industrial

ENVIRONMENTAL STATUS

Completed by: CG

☐ Environmental Impact Report found complete on
☐ Negative Declaration circulated on May 1, 2002 to be adopted on May 22, 2002
☐ Negative Declaration adopted

☒ Exempt
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: CG

Annexation Title: Orchard No.28

Date: 06/10/1960

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval
☐ Approval with Conditions

Date: _____

Approved by: _____
☐ Action
☒ Recommendation

OWNER

DEVELOPER

ATTN: Carolyn B. Tiffany
Sajos Assoc. Limited Partnership
7 Bulfinch Place, Ste 500
P.O. Box 9507
Boston, MA 02114-9507

Bob Dhillon
2677 Tilton Court
San Jose, CA 95121

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: CG

Department of Public Works

See attached memorandum.

Other Departments and Agencies

See attached memoranda from Fire Department and Environmental Services Department.

GENERAL CORRESPONDENCE

None received

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, Bob Dhillon, is requesting a Planned Development Rezoning from A(PD) Planned Development Zoning to A(PD) Planned Development Zoning to allow the operation of a 6,000 square foot banquet facility within an existing 53,010 square foot warehouse/office building. The remaining 47,010 square-feet will remain as a warehouse and office use. A Planned Development Rezoning is proposed because the existing A(PD) Planned Development Zoning does not allow a banquet facility. As a part of the proposed banquet facility, the applicant intends to sell/distribute alcoholic beverages for on-site consumption only, and to operate past midnight to no later than 1:00 a.m.

The subject property has been developed with the current office/warehouse use since 1985. The site is fully improved with the building, parking and landscaping. The property is bounded by single-family residential uses to the east and by the San Jose Municipal Golf Course to the south and east. Industrial/commercial offices are located to the west of the subject site and commercial uses are located to the north of the property across Murphy Avenue. The site is fully improved with landscaping and 150 parking spaces are provided on the subject site.

PUBLIC OUTREACH

Notices of the public hearings were distributed to the owners and tenants of all properties located within 500 feet of the subject site. Staff has been available to discuss the project with interested members of the public.

ENVIRONMENTAL REVIEW

The Director of Planning has determined that this project is exempt from further environmental review under the provisions of the California Environmental Quality Act (CEQA). CEQA Guidelines include an exemption (Section 15301(e)) for projects that consist of minor additions or modifications to existing structures.

GENERAL PLAN CONFORMANCE

The proposed rezoning is consistent with the San José 2020 General Plan Land Use/Transportation Diagram designation of *IP Industrial Park with a Mixed Industrial Overlay*. Areas designated with a Mixed Industrial Overlay may be appropriate for a mixture of primarily industrial with compatible commercial or public/quasi-public uses. Areas with this overlay designation contain or are surrounded by an existing mix of uses, so that additional non-industrial uses would not compromise the integrity of areas reserved exclusively for industrial uses. The applicant proposes to maintain a majority of the existing industrial warehouse and office use with the addition of a new small commercial banquet facility consistent with the intent and goals of the General Plan. The proposed facility would support and not substantially alter or impair the Industrial Park uses in the vicinity.

ANALYSIS

The primary issue associated with this proposal is conformance with the Zoning Ordinance parking requirement.

Parking analysis: The Zoning Ordinance states that Banquet Facilities are required to provide 1 parking space per 40 square-feet of banquet space, warehouse uses are required to provide 5 parking spaces for a warehouse that is between 5,000 square-feet and 25,000 square-feet, and office uses are required to provide 1 parking space per 250 square-feet of office space.

The applicant proposes to configure the existing building so that it could have 26,032 square-feet of office space (requiring 104 parking spaces), 20,978 square-feet of warehouse (requiring 5 parking spaces), and 6,000 square-feet of banquet facility (requiring 150 parking spaces). A total of 150 parking spaces would be available on the site.

In order to meet the Code-required parking requirement and ensure adequate parking for patrons, the applicant proposes to typically operate the banquet facility only during non-business hours (between 6pm and 1am). In order to operate the banquet facility during business hours, the size of the banquet facility can be restricted to correspond to the amount of on-site parking available. During normal business hours, there are 40 on-site parking spaces not required to support the office or warehouse uses on the subject site. Utilizing these 40 "extra" parking spaces would allow the applicant to operate a banquet facility during normal business hours, but the size of the banquet space must be limited to 1,600 square-feet (1 space per 40 square-feet). The applicant will be required to reduce the size of the banquet area by the use of partition walls or similar method when operating during normal business hours. During evenings and weekends, when the office area is not in use, the applicant would be allowed to operate the full 6,000 square foot banquet facility.

Conclusion

The applicant will be required to reduce the amount of banquet space to 1,600 square-feet when operating the banquet facility during normal business hours in order to meet the provided parking on site. During off-business hours, the banquet hall can operate at its full capacity of 6,000 square-feet. The project conforms to the Zoning Ordinance provided that its operation includes these restrictions.

RECOMMENDATION

Planning Staff recommends that the Planning Commission recommend approval of the proposed Planned Development Rezoning with the following condition:

The applicant shall be required to reduce the size of the banquet facility to 1,600 square-feet by the use of partition walls or a similar method when operating during normal business hours (8am to 6pm).

Upon inclusion of this condition, staff recommends approval of the project for the following reasons:

1. The proposed project is consistent with the San José 2020 General Plan Land Use/Transportation Diagram designation of *Industrial Park with a Mixed Industrial Overlay*.
2. The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.

c: Anthony Ho: 969 Ivory Creek Dr. San Jose CA 95120